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SEP 13 2004

**FAX COVER SHEET**

DATE: September 13, 2004

TIME: 2:17 p.m.

TO: USPTO

PHONE:  
FAX: (703) 872-9306FROM: Karen A. Lowney  
Reg. No.: 31,274  
Legal DepartmentPHONE: (631) 531-1191  
FAX: (631) 531-1340Number of pages including cover sheet: (12)**MESSAGE:**Serial No.: 10/623,968  
Attorney Docket No.: 02.19US

Filing Date: July 21, 2003

**Attached are the following Documents:**

1. Fax Cover Sheet - (1 page)
2. Transmittal Form (1 page)
3. Information Disclosure Statement (2 pages)
4. (IDS)/Form PTO/SB/08A (1 pages)
5. 1 Cited Reference (7 pages)

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SEP 13 2004

PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

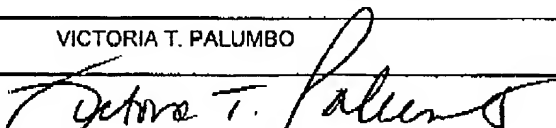
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/823,988	
	Filing Date	JULY 21, 2003	
	First Named Inventor	LUO, et al.	
	Art Unit	TBA	
	Examiner Name	TBA	
Total Number of Pages in This Submission	11	Attorney Docket Number	02.19US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement - (2 pgs) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): (IDS)/Forms PTO/SB/08A 1 Cited Reference (7 pages)
Remarks _____		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	KAREN A. LOWNEY, ESQ. (Reg No. 31,274)
Signature	
Date	

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Typed or printed name	VICTORIA T. PALUMBO
Signature	
Date	9-13-04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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SEP 13 2004

Attorney Docket No.: 02.19US

Serial Number: 10/623,968

First Inventor: Luo, et al.

Examiner: TBA

Group Art Unit: TBA

Filed: July 21, 2003

For: Transfer Resistant Cosmetic

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## Information Disclosure Statement under 37 C.F.R. 1.97(b)

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

Sir:

In accordance with 37 C.F.R. 1.56, 1.97 and 1.98, Applicant submits herewith references which he/she believes may be material to the examination of this application and with respect to which there may be a duty to disclose in accordance with 37 C.F.R. 1.56.

While the references may be "material" under 37 C.F.R. 1.56, it is not intended to constitute an admission that the references are "prior art" unless specifically designated as such.

The filing of this Information Disclosure Statement shall not be construed as a representation that no other material references than those listed exist or that a search has been conducted.

The references are listed on the enclosed Forms PTO/SB/08A (substitute for Form 1449/PTO) which is in accordance with the requirements of M.P.E.P. 609. A copy of the references is also enclosed.

The references are as follows:

1. U.S. Patent No. 5,162,410, 11/10/1992, Sweet

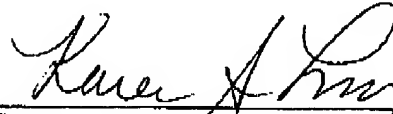
It is respectfully requested that these references be considered by the Patent and Trademark Office in its examination of the above-identified application and be made of record therein. The Examiner is also invited to contact the undersigned if there are any questions concerning this paper or the attached references.

This IDS is being submitted before a first action on the merits. Therefore, no fee is believed due.

Respectfully submitted,

Date:

9/13/04



Karen A. Lowney (Reg. No. 31,274)  
The Estee Lauder Companies, Inc.  
125 Pinelawn Road  
Melville, NY 11747

